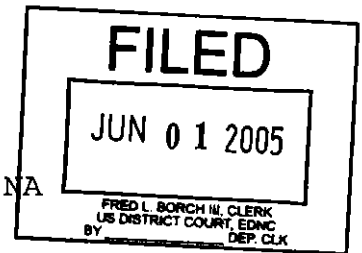


JAC

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION



NO. 5:04-CR-211-BO(1)

|                          |   |                              |
|--------------------------|---|------------------------------|
| UNITED STATES OF AMERICA | ) |                              |
|                          | ) | GOVERNMENT'S NOTICE OF       |
| v.                       | ) | INTENDED USE OF EXPERT       |
|                          | ) | WITNESSES                    |
| DAVID A. PASSARO         | ) | Fed. R. Crim. P. 16(a)(1)(G) |

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby puts the defendant on formal notice pursuant to Fed. R. Crim. P. 16(a)(1)(g) that it intends to call Dr. Reinhard Motte, Associate Medical Examiner, Broward County, Florida, and Dr. Anthony Meyer, Chairman Department of Surgery, University of North Carolina, School of Medicine, to provide expert testimony in the upcoming trial of this matter and further that,

If called to testify in the Government's case-in-chief, Dr. Motte and Dr. Meyer will testify to the fact that the blows delivered by the defendant to the victim as charged in Counts Two and Four of the Indictment would have resulted in serious bodily injury as defined under Title 18 United States Code, Section 1365(h)(3). These opinions are based on the witnesses medical knowledge, examination of photographs of the victim as well as witness statements.

Furthermore the Government intends to call Valerie T. Betty. Ms. Betty is a Fingerprint Specialist employed by the Federal

SCANNED

lc: Boyle

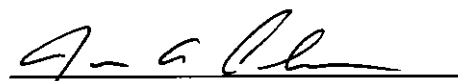
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Bureau of Investigation. If called to testify in the Government's case-in-chief, she will testify that three latent fingerprints taken from the batteries contained in a flashlight taken from the Asadabad Base match the defendant's fingerprints.

Qualifications of each of the witnesses have been mailed to defense counsel simultaneous with this filing.

Respectfully submitted, this 1<sup>st</sup> day of June, 2005.


FRANK D. WHITNEY  
United states Attorney

  
BY: JAMES A. CANDELMO  
Assistant United States Attorney  
Criminal Division

Certificate of Service

This certifies that the foregoing GOVERNMENT'S NOTICE OF INTENDED USE OF EXPERT WITNESSES has, this 1<sup>st</sup> day of June, 2005, been served on the defendant by hand courier addressed as follows:

THOMAS MCNAMARA  
Federal Public Defender  
Raleigh, North Carolina

  
JAMES A. CANDELMO  
Assistant United States Attorney  
Criminal Division